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A Plan of Action

## Public Security in Brazil

By the staff of the Fernand Braudel Institute of World Economics



A Plan of Action **03**  
**Public Security in Brazil**

The Organized Crime in Espírito Santo State **13**



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(By the research staff of the Fernand Braudel  
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*"The basic mission of governments is to provide protection. The ..."*

**13 The Organized Crime in Espírito Santo  
 State**

(Rodney Miranda)

*"The state of Espírito Santo provides a case study of  
 the danger to ..."*

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# A Plan of Action Public Security in Brazil

By the research staff of the Fernand Braudel Institute of World Economics

The basic mission of governments is to provide protection. The earliest governments emerged thousands of years ago in response to the need of organized societies for protection from predators. Now crime proliferates in the big cities of Brazil and predators abound.

Over the past decade, the Fernand Braudel Institute of World Economics has been conducting a program of research and public debate on public security. As an Institute of World Economics, we have taken up this challenge

because public security has become an international problem, with behavioral patterns, trade, organizations, institutions and solutions that transcend national frontiers. Our work has included an institutional study, "The Police" (Braudel Papers No. 21/1999); an international conference on violence and public security in Rio de Janeiro and São Paulo; creation of a Public Security Forum in the São Paulo suburb of Diadema that contributed toward reducing by half the number of homicides in one of the world's most violent municipalities, and a pioneering study of The Tolerance of Homicide, that explores why communities accept high murder rates in the periphery of São Paulo. The inauguration of a new federal government in January 2003 was followed by outbreaks of urban terrorism in Rio de Janeiro and by the murder of two judges in the states of São Paulo and Espírito Santo that bred great anxiety throughout Brazil. Intelligent and courageous measures are needed to strengthen the criminal justice system in a way consistent with democratic values. Our researcher, Col. (R) José Vicente da Silva Filho of the São Paulo Military Police, former National Secretary for Public Security, proposes some specific measures in this essay. An earlier version of these proposals was presented in May 2003 at the 13th National



*Disparates Conocidos (Francisco Goya, 1819)*

Forum of the National Institute for Higher Studies in Rio de Janeiro. The full Portuguese text of these proposals can be accessed on our website [www.braudel.org.br](http://www.braudel.org.br). We also publish on page 2 of this issue the experience of Rodney Miranda, Secretary of Public Security of the State of Espírito Santo, in his struggle against organized crime, as presented recently in a seminar at our Institute.

## 1. The Problem

The problems of public security in Brazil are causing rising levels of alarm. In the City of São Paulo, according to analysis of crime statistics by the Fernand Braudel Institute of World Economics, one of every 20 citizens was a victim of armed robberies during 2002, at a rate of 1,704 incidents daily. Homicides in Brazil vastly outnumber deaths from infectious diseases like AIDS, tuberculosis and malaria. In recent years mayors, journalists, judges and union leaders have been shot in gangland killings. In peripheral communities of Greater São Paulo and Rio de Janeiro, homicide rates exceed 100 per 100,000 population, among the highest in the world. Thousands of young men are murdered every year,

*The program of research and public debate on public security of the Fernand Braudel Institute is supported by the Tinker Foundation and Banco Real ABN-Amro.*





Egberto Nogueira

often in trivial disputes. The public security infrastructure is under funded, understaffed and plagued by corruption, with little coordination and grotesquely inefficient distribution of resources. Prison guards are bribed or threatened into aiding jailbreaks. Detectives are accused of involvement in truck hijacks and car theft rings, and of providing advance tips to gangsters of police crackdowns. If these problems are not addressed constructively, they ultimately will undermine the stability and legitimacy of democratic government.

Terrorist-like actions by drug dealers in Rio de Janeiro have become a major problem. In the absence of effective intelligence operations and coordination among state and federal agencies, gangs entrenched in hillside casbahs of shacks, winding streets and blind alleys have developed a command hierarchy capable of organizing larger-scale actions by experienced and well-armed fighters who impose their authority both in the favelas ( marginal squatter settlements) and occasionally in wealthier neighborhoods. Police say that Rio drug gangs command an arsenal of 10,000 weapons. Paulo César Silva dos Santos, 23, nicknamed Linho, controls the drug traffic in three Rio favelas, commanding 500 "soldiers" who sell drugs on the street, armed with 300 automatic rifles and other weapons. Linho has become a leading arms merchant among Rio's gangs. On April 10, police seized a truckload sent to him of 20,000 Argentine army rifle rounds and 50 grenades, manufactured in the early 1980s for use in the Falklands War.

On one night recently, the gangs staged an attack that showed their capacity for mobilization and intimidation. Two policemen were surrounded and summarily executed. Nine buses and a car were burned. Tracer bullets terrified motorists

and halted traffic on some of Rio's main arteries. Police officials suggested that the attacks were ordered by imprisoned drug lords protesting restrictions on visits by lawyers and relatives. In the final days of 2002, the mayor's office was sprayed with shots from AR-15 rifles and several windows in the building were broken. Several main traffic arteries were blockaded as gangs robbed drivers and passengers at gunpoint, murdering some of them. Several industrial firms closed their doors in response to a long series of armed robberies, burglaries and kidnappings of businessmen.

The School of Public Health of the Fundação Oswaldo Cruz had to build a special wall to protect against stray bullets from nearby favelas. In the last week of February 2003, 54 city buses were wrecked or burned. The gangs ordered the closing of all commercial establishments in several neighborhoods, shutting down stores and entire shopping malls. In the following weeks, robbers invaded homes to hold families at gunpoint while heads of households were taken to get money from bank cash machines. A 14 yearold girl, about to take her first subway ride, was killed by a bomb outside a metro station.

Police, jailers, wardens and judges dealing with dangerous prisoners in Rio and São Paulo are continually pressured by bribes and threats to allow prisoners access to cell phones, restaurant meals, air conditioning in their cells and "intimate visits" with women. In September 2000 the warden of the Bangu prison complex in Rio, Sidnéia de Jesus, was killed for having refused such privileges to the drug lords in her care. Within two weeks in mid-2003, Bangu's security coordinator and prison director were ambushed and killed in their cars

after receiving death threats for several months.

The cost of violence, measured in terms of discouraged investment, personal and business loss and spending on private security, insurance, police, the criminal justice system and prisons, is often estimated at between 7% and 10% of Brazil's gross domestic product (GDP). The cost of violence is much greater than the deficits that prod the government to push for ambitious and controversial social security reform. Over the past three years the federal government spent roughly US\$ 100 million annually on public security, about the same as the daily cost of violence in Brazil.

Private security is among the fastest-growing sectors of Brazil's economy. In 2000, the Federal Police registered some 4,000 firms with 540,000 employees offering private security services, along with many other unlicensed providers. According to the Fundação Getúlio Vargas, the public and private sectors in 2002 spent US\$37 billion on security. However, much investment in public security is wasted because of poor organization and implementation of strategy, and because of resistance to change in the police and judicial systems. Now much more investment and better quality of spending are needed.

The policies of the new government of President Luiz Inácio Lula da Silva correctly emphasize overcoming the financial crisis that erupted during the 2002 election campaign. The government is committed to low inflation and fiscal stabilization as well as to the Fiscal Responsibility Law that the PT attacked during its campaign. Instead of the "rupture" he promised as a candidate, Lula is providing continuity with previous stabilization efforts. However, stabilization also demands a long-term strategy for defense of organized society.

Lula responded with brave words to the urban terrorism and political assassinations that shocked Brazilians in early 2003. Facing public outrage at the murder on March 14 of a young judge, Antônio José Machado Dias, who dealt with maximum security prisoners in the interior of São Paulo State, Lula declared: "Crime cannot conquer that part of society that works and lives by the sweat of its brow. So we must understand that fighting violence, organized crime and drug traffic will demand much more intelligence and competence than Brazil habitually has shown in confronting common bandits." At least 82 criminal court judges throughout Brazil have received death threats, according to the magistrates' association. On March 23 another young judge, Alexandre Martins de Castro Filho, was gunned down in the coastal city of Vitória, north of Rio, which has Brazil's highest homicide rate. Judge Castro was working with a federal task force against a criminal organization that took control of the state government of Espírito Santo. Lula announced: "This is the second judge murdered in the past 10 days. I don't know who killed this judge, but you can be certain that, if these murders are the work of organized crime, we will win the war against organized crime and drug traffic." Some public officials and their relatives have suffered robberies and kidnappings. After an army lieutenant was murdered in

Greater São Paulo during an attempted robbery while serving as bodyguard to the President's 25 year-old son, Sandro, Lula again said: "This episode reinforces the decision of this government to combat violence, in both its structural roots and in its daily manifestations that disturb all Brazilian citizens."

"The violence is reaching a point at which we must do more and talk less," said José Genoíno, the president of Lula's Workers Party (PT), two weeks after his driver and press adviser were kidnapped and a few days after the bodyguard of Lula's son was killed by bandits. "After implementing security plans in all the states, we must take three immediate steps: reform the police to get rid of bad cops, use more intelligence in police operations and modernize equipment. Only in this way can we conquer violence."

In February 2002, at the start of Lula's presidential campaign, the PT published a comprehensive and carefully researched Projeto Segurança Pública para o Brasil. However, transforming these words into action is proving difficult. Public security was not included among 13 priority areas announced by the new government in February. Planned public security investments were cut by more than half. Little was left for the National Secretariat of Public Security (SENASP) to create the newly proclaimed Unified System of Public Security, and this spending was concentrated in three critical states (Rio de Janeiro, São Paulo and Espírito Santo). Plans to make SENASP directly responsible to the President, announced in the Projeto Segurança Pública, were cancelled. These plans would have placed the Federal Police and the specialized agency combating drug traffic under the wing of SENASP to coordinate federal policy. In a reorganization of the Ministry of Justice, SENASP's staff was cut by a third to just 59 authorized positions, a slim fraction of the number of dedicated professionals needed to supervise restructuring of police forces in 27 states of a federation spread over half a continent. But shortly thereafter, the government created a Special Secretariat for Fisheries with 236 senior staff positions.

### **Dysfunctional Systems**

Public security problems can be viewed from three aspects: (1) social, (2) legal/institutional, (3) management. The social question focuses on the precarious living conditions in the peripheries of our big cities. Institutional and legal issues embrace deficiencies of archaic penal laws and obsolete police and judicial systems that breed impunity. Weak management, especially in police forces, undermines our society's capacity to reduce and control crime. Each of these problem areas imposes different rhythms and horizons of reform. Social problems demand complex and long-term initiatives. Legal/ institutional backwardness can be overcome only by medium-term political and technical adjustments. Although these three kinds of problems should be attacked simultaneously, improvements in police management should have priority because these changes can produce results in a



shorter time. Improvements in public security as well as in public education, which also affects levels of violence, will not be easy. They are long-term undertakings that may last through several state and federal administrations, demanding a political consensus on priorities, just as the fight against inflation mobilizes a consensus today. These undertakings demand major investments in political and financial capital.

In Brazil's dysfunctional public security systems, the main problem is motivation. Each horrendous crime seizes media attention for from two days to a week, only to be replaced in the public eye by yet another horrendous crime. When the victim is a famous person, such as the TV star Silvio Santos, Lula's son or a key PT leader such as Celso Daniel, the mayor of Santo André who was kidnapped and murdered in January 2002, all the resources of federal, state and local governments are mobilized to catch the criminal. Politicians voice horror and indignation, but nothing else is done. The needs and rights of ordinary citizens are ignored. The announcement of a new Unified Public Security System was not followed by a coherent and credibly funded plan of action. A variety of other measures, from penal code reform to firearms control, have been languishing in Congress for years. In June 2003 the Justice Minister announced a 12-point scheme to control money laundering after revival of a scandal involving foreign remittances of US\$30 billion over the past decade, mainly through the New York branch of the State Bank of Paraná (Banestado). The Federal Police has been investigating Banestado's money laundering operations, without result, since 1996. After key members of a Federal Police task force spent seven weeks in New York as a climax to 15 months of negotiations with U.S. authorities, a U.S. Justice Department prosecutor wrote to Brazil's Justice Ministry to express "consternation" that "no detailed justification" had been provided in writing to support Brazilian requests for violation of the secrecy of 135 bank accounts.

### Problems Widely Understood

The main institutional and operational problems of public security are widely understood:

- Brazil's criminal and penal codes, dating from 1941, are federal laws, but enforcement is mainly in the hands of the states.
- At the state level, two distinct and often rival law enforcement agencies - Military Police for uniformed patrolling and prevention, and Civil Police for investigation- operate in overlapping areas and get in each other's way. In most states there is no effective central control of the two police forces, who fail to share information and whose operating district boundaries do not coincide. Both police forces are disorganized, with grave technical deficiencies in modern investigation and policing practices. Most major crimes are unsolved because the cycle connecting discovery and investigation is interrupted and blocked due to the different procedures, rituals and protocols of the two police forces.

- Information technology is not used efficiently to help operational planning in highcrime areas.

- With few exceptions, local communities are not mobilized to help control violence.

- Preventive policing, based on intelligence and data analysis, is rarely practiced. Police usually rely on reactive and repressive methods, such as raids on specific localities, producing many needless deaths among both civilians and the police.

- Poor training and low salaries leave the police vulnerable to corruption. Lack of promotion chances for those recruited to lower police ranks breeds poor morale. Police officers working in dangerous areas are rarely promoted. Preferment in promotions is given to officers in bureaucratic posts who enjoy political influence and support.

- The Federal Police apparatus is insufficient to carry out its responsibilities, principally in combating organized crime and securing the country's frontiers.

- Prisons are overcrowded and unable to control dangerous criminals. Escapes and revolts occur frequently in penitentiaries and police detention pens throughout the country. It is hard to find qualified people to work as prison custodians.

- Brazil's Armed Forces resist engagement in control of drug and firearms traffic in frontier areas.

## 2. Proposals for Action

*Here are policy proposals based on the presentation, sponsored by our Institute, of Col. José Vicente da Silva Filho at the National Forum in Rio de Janeiro in May 2003. Two key areas require immediate attention: homicides and police corruption. Also, new policies are suggested at the federal, state and municipal levels.*

### Homicides and Firearms Control

A special program should seek reduction of homicides in localities where the rate is above 40 per 100,000 population. Police chiefs should give this program top priority, setting clear and specific goals after careful diagnosis of critical localities. They should seek community cooperation, involving joint action by the Civil and Military Police and by specialized teams and forensic experts. In May 2003 an analysis of homicides by the Rio de Janeiro public prosecutor showed that only 2.2% of the killers were arrested at the crime scene and only one percent of all other murders were solved by the police.

Most violent crimes in Brazil involve use of guns. There 397 million small firearms circulating in civilian hands throughout the world, the product of a global annual weapons trade estimated at US\$4 billion, according to detailed research by the Graduate Institute of International Studies in Geneva. Pistols, rifles and machine guns have become a major public health hazard in affected countries, such as Brazil. These 397 million weapons amount to one for every 20 people living on this planet. If we discount popu-

lations of women, children, old people and inhabitants of countries where firearms possession is banned or strictly regulated, there may be a gun in the possession of one in every five or six able-bodied men in the Central American republics, the Middle East, West and Central Africa, Colombia, Venezuela and Brazil. The threat to civilization is clear in big Brazilian cities such as Rio de Janeiro and São Paulo.

Brazil is the world leader in gun homicides, with about 40,000 yearly, or 88% of all murders committed. Of these, 12,000 are in São Paulo State, where 11,000 registered guns are stolen annually, equal to one-third of all arms sold yearly throughout Brazil. Police forces thus should mobilize continuing programs, supported by the National Public Security Fund, to withdraw illegal guns from the population. Gun registries should be improved. Sources of illegal weapons should be traced. Penalties should be increased for carriers of weapons with serial numbers altered or erased. Police should regard bearers of illegal firearms as more dangerous than the weapons themselves, bringing stiffer punishments. Data banks should record all weapons seized and the backgrounds of their carriers. The Federal Police should create a special intelligence unit to trace the flow of illegal weapons and coordinate its efforts with other agencies. Stricter laws are needed to govern the sale and possession of guns.

### **Reducing Police Corruption**

Continuing programs to promote police integrity and reduce vulnerability to corruption should be reinforced. Stricter standard procedures should be established for investigating new police recruits. Other measures should include creation of systems of vigilance and control of deviant police behavior and courses in police academies on standards and enforcement of professional ethics. The structure and procedures of watchdog units, or internal affairs bureaus, should be streamlined. New procedures and laws for speedy administrative trials for police corruption should be implemented, such as the new *via rápida* used to get rid of corruption and other forms of deviant behavior in São Paulo's police forces, a procedure now extended by law to other state employees.

## **FEDERAL GOVERNMENT ACTIONS**

One of the great challenges facing the federal government is to coordinate public security efforts to protect Brazil's 175 million people, spread over a huge territory. This coordination involves complex tasks among state and local agencies outside federal control, many of them embroiled in rivalries between institutions with different levels of motivation and training. At present, responsibility for the federal role in public security is given to the Justice Ministry. A separate ministry should be created to plan and coordinate public security to give appropriate priority to this critical mission. This would free the Justice Minister to concentrate on his many other responsibilities, such as naturalization of new citizens, consumer protection, human rights, judicial reform, drafting

new laws, analysis of present and pending legislation, protection of Indian tribes, granting political amnesties and supervising penitentiaries.

Moreover, the Justice Minister usually has been a political appointee without any experience in law enforcement. A Minister of Public Security should be a respected professional in his field, as are usually the president of the Central Bank and the Foreign Minister. Until this new ministry is created, a new coordinator's office should be created to supervise implementation of a National Public Security Plan, since SENASP has the same bureaucratic rank as the Federal Police and Federal Highway Police, which operate independently. The coordinator should be responsible for strategic planning and should be empowered to resist political pressures for quick and unfocused release of funds that waste resources.

### **Public Security Research Institute**

There is a clear need for a Public Security Research Institute within SENASP to study ways of controlling violence and developing new modes of police organization, management and procedures. This Institute would plan and coordinate programs of police training and manage the National Police Academy. With support from the National Public Security Fund, it also could form professional task forces to analyze problems in different states as needed and recommend new policies and procedures. These tasks could include:

- Design a model police station architecturally and organizationally, outlining responsibilities, methods and procedures.
- Develop uniform criteria for creating police districts from census data, crime indexes and social and geographical characteristics.
- Organize working methods and standards for police watchdog and civilian control agencies (*ouvidorias* and *corregedorias*) and citizens' "crime-stopper" (*disque-denuncia*) telephone hotlines.
- Develop uniform models and methods for collection and processing of crime data.
- Develop model state legislation for police, including disciplinary standards and procedures.

### **Training and Information-Management**

Key areas for development of human resources, designed and supervised by the Public Security Research Institute, would be:

1. Leadership and management training.
2. Development of capacity in methods and techniques of forensic science, including preservation of crime scenes, with the creation of regional forensic centers furnished with sophisticated equipment to serve several states, which also incorporate Federal Police resources.
3. Making criminal investigation more effective by developing methods, routines and training programs to overcome chronic deficiencies in solving crimes and in presenting evidence in trials.

4. Criminal intelligence: Adopt procedures and instruments to seek and process information on criminals, their methods and affiliations and to map organized crime gangs. Intelligence units should receive specialized software and training and should establish linkages with other intelligence agencies in Brazil and neighboring countries and with citizens' anti-crime hotlines. Channels of cooperation among state public security intelligence agencies and the Federal Police should be established.

5. The National Public Security and Judicial Information System (IN-FOSEG) should be improved to use high-quality, up-to-date information from the states on escaped prisoners, stolen vehicles and firearms, and on missing persons as well as digitalized photographic files on known criminals in each state.

6. Regional offices of SENASP should diagnose the needs of each state (location of critical areas, equipment, training, expert advice); supervise programs of integration of police forces and of the establishment of standardized crime data systems; audit progress of programs financed by the National Public Security Fund, and promote cooperation with the Federal Police and other agencies.

### Task Forces

Task forces should be created to address critical problems demanding action by several public agencies. These could concentrate resources and information, especially dealing with organized crime, large-scale armed actions by gangs or criminal conspiracies against the financial and political systems. These task forces should become permanent commissions gathering intelligence in states like São Paulo and Rio de Janeiro, which are big markets for several kinds of organized crime such as arms and narcotics traffic, piracy, numbers rackets, truck hijackings, cargo robberies and trade in stolen vehicles. Other task forces should be organized to cover frontier states such as Paraná, Mato Grosso, Mato Grosso do Sul, Rondônia and Acre in an effort to control drug traffic, smuggling and the export of stolen vehicles.

These task forces should be created by federal decree and agreements with the states, involving the armed forces, Federal Police, state police forces, the Brazilian Intelligence



Agência Folha

*Hole on the wall of a prison cell in Guarulhos, used by 19 prisoners to escape on 05/21/2001.*

Agency and state and federal prosecutors. Their main task would be to gather intelligence from different sources on the leadership, structure and functioning of crime networks. They would use state police resources, field agents, information from prisoners, telephone tracing and listening devices, with judicial authorization. Resources will be needed for installation and training in the use of sophisticated technologies and for current expenses of field operations.

### The Federal Police

With only 7,000 officers, the Federal Police is supposedly an elite organization, but it barely survives on its reputation. In theory, it is supposed to combat organized crime and trafficking of drugs and arms across international and state borders, but with such limited resources it can do little to control these growing problems. In addition, it must issue passports, screen arriving and departing international travelers, supervise private security firms, protect federal officials and, under political pressure, assign around 1,500 of its officers to jobs that have nothing to do with its legal responsibilities.

Deprived of needed investment, and burdened by severe management problems, the Federal Police sustains its reputation with isolated actions and skilled public relations. Its training systems are precarious. Upon recruitment, its agents and technicians get only a three-month course. There is almost no specialized instruction, professional upgrading or management training. Weaknesses in operational structures and procedures of the Federal Police make it hard for state superintendents and specialized task forces to use information effectively. The metropolitan regions of São Paulo and Rio de



Janeiro each have too few Federal Police officers, many of them assigned to tasks unrelated to the agency's core mission, leaving insufficient numbers available to combat organized crime. Sporadic drug arrests usually end up jailing people from the low echelons of the crime hierarchy. The bosses of the narcotics and arms traffic and the numbers racket escape attention, as do the gangs that organize smuggling, piracy, truck hijackings and theft of cargoes. In the public mind, the burden of proof on the issue of police corruption lies with the police, who will be judged by results.

To overcome these difficulties, an external analysis must be carried out of the management and financial structure of the Federal Police. This should include a study of the use of human resources (training, distribution, benefits, discipline) to provide a long-term plan for future operations. The Federal Police should shed bureaucratic functions unrelated to its core mission, reincorporating officers diverted to other tasks. Its priorities should be mapped in relation to demands on the organization. Offices should be expanded in states of high demand to strengthen intelligence-gathering and the fight against organized crime. Each regional office should assign agents permanently to coordinate work with local police. Intelligence gathered in regional offices should be incorporated into a central system in Brasília that includes digitalized fingerprint files and criminal records. Investment in sophisticated intelligence software and telephone tracing systems should be supported by intense training of carefully selected officers to work in regional offices.

### **Creation of a National Guard**

Disturbances may arise in democratic states that demand interventions by a permanent and well-trained institution that operates jointly with local police forces. These disturbances could include prison revolts, conflicts over land and urban terrorism by criminal gangs. The Military Police in most frontier states are unable to police vast, empty areas with their badly paid, badly trained and badly equipped troops. For these special purposes a National Guard, the creation of which has been approved by the Chamber of Deputies, could become a uniformed federal police force capable of operating anywhere in Brazil, perhaps along the lines of other national agencies, as in Canada or India. The structure and modes of operation of a National Guard should be carefully analyzed by the ministries of Defense and Justice and by Congress.

The manpower of the National Guard could be equal to from five to ten percent of Armed Forces personnel, established in stages over five years, initially using military installations, under Armed Forces jurisdiction. The first contingents could be selected from Armed Forces recruits who have finished military service. Military Police officers could be ceded by their states to provide training. As with the Gendarmerie of France, officers of the National Guard could be selected at first by competitive examination and interviews from among military and police officers and from Civil Police detectives and officials from different states. National Guard

battalions could be located around the country by agreement with state governments.

### **Use of the Armed Forces**

According to Article 142 of the Constitution, the Armed Forces may be used to preserve law and order. In the face of today's public security problems, several options exist:

- The Army can support Military Police units in checking persons and vehicles in frontier areas. With more intensive training, the Armed Forces could conduct active surveillance of frontier zones within 50 kilometers of Brazil's borders, an area which the Constitution defines as federal territory. The sporadic military operations now carried out in frontier areas have little effect on criminal activity. The military should be invested with judicial police powers to send prisoners and complaints to public prosecutors.
- The Army can support police blockades and checkpoints at the entrance to favelas or on main traffic arteries, thus aiding police in arrests, providing a deterrent dissuasion and allowing for limited intervention in case of conflict.
- Naval patrols, with police aboard, to protect offshore areas near the ports.
- Strengthen intelligence to prevent robbery of guns and munitions from military installations and to trace the movement of armaments entering the country to prevent their delivery to organized crime gangs.

## **PUBLIC SECURITY IN THE STATES**

### **Unifying State Police Forces**

Brazil must reform the structure of police organization. The present dual police forces, Civil and Military, must be combined into one organization in each state. There must be a single command, a complete and uninterrupted cycle of responsibility, from prevention and patrolling to investigation in order to end bureaucratic confusion and rivalry. It is useless, as the federal government now proposes, to try to integrate specific police operations before attempting unification. This kind of initiative usually wins verbal acceptance at the top of police hierarchies but then is sabotaged and blocked in the lower ranks in day-to-day operations. The State of Minas Gerais shows how difficulty can arise in the absence of constitutional change. A new state law provides that the Civil and Military Police will have their operational activities coordinated by a Secretary for Social Defense. But, under this law, the two police forces still will have administrative autonomy. Their commanders retain the cabinet-level status of secretaries of state, keeping the three chiefs on the same bureaucratic level. Thus the new Secretary for Social Defense will lack the power to integrate the two police forces. Historically, the two police forces in Minas Gerais have refused even to share crime data. Administrative integration must precede operational integration.

There are some places where integration is being tried.

Over the past four years some model districts were created in the northeastern state of Ceará to integrate local Military and Civil Police operations, by sharing installations and data bases. Lower levels of integration are being tried in the states of Rio de Janeiro and São Paulo and the metropolitan region of Salvador. The two police forces share computerized data bases in Ceará, São Paulo and Pernambuco. Salary equivalence between the two police forces has existed in São Paulo since 1984. But progress is slow and uneven. Successful cases of integration are extremely isolated and owe much more to exceptional local leadership than to lasting institutional arrangements.

In view of the slowness of progress toward integration, constitutional changes are needed to create unified police forces, with a four-year transition. The National Public Security Fund would support states showing progress. The federal government would have a key role in setting standards in training, operational methods, planning, data analysis and community participation. Unification could be accelerated in the 15 states with less than 10,000 members of the Civil and Military Police. These states could serve as a laboratory for states with larger and more complex police organizations.

### Reducing Impunity

An old proverb of law enforcement says that a criminal is dissuaded from crime more by the prospect of punishment than by the length of any sentence. The federal government thus should promote changes in laws, judicial procedure and penal systems that remove chances for impunity. Rigorous sentencing, in both kinds of confinement and time in prison, is needed for recurrent violent offenders and organized crime bosses, as well as for delinquent police. Investment in a witness protection program would help to combat organized crime. New procedures should be developed for keeping dangerous convicts in solitary confinement while seeking to rehabilitate less menacing offenders through other forms of sentencing. Changes in the law should allow trials, under special conditions such as video conferencing, for dangerous offenders and organized crime figures. The Childhood and Adolescence Statute should be amended to give special treatment to predators under 18 years old who repeat cruel and violent acts. Under current law, a young criminal such as Batoré, who murdered more than 15 people in São Paulo, cannot be held in a prison regime compatible with the level of danger he presents.

### Targeted Actions

Federal, state and municipal governments should target areas

with high crime incidence. States such as São Paulo, Rio de Janeiro, Pernambuco and Espírito Santo, all impacted by violence and organized crime, should get special attention. Resources and specific plans should be concentrated in these critical states and not be assigned automatically to all states in proportion to population.

A survey of crime data in 645 municipalities in São Paulo State, conducted in 2002 by the Fernand Braudel Institute of World Economics, shows the priorities. Murders, robberies and car thefts are concentrated in the big cities. Of 62 cities in São Paulo State with more than 100,000 population, 23 have lower crime rates than smaller cities. Public security policy should focus on the others, especially the 39 municipalities that compose the São Paulo metropolitan area. Within those cities, crime data analysis will show the neighborhoods to be targeted.

### MUNICIPAL PUBLIC SAFETY

Reducing violence depends on effective cooperation between state and municipal governments as well as between business and community leaders. Key partners in this cooperation should be local units in each municipality of the Military and Civil Police of the state governments. Improved public security should be independent of party politics, oriented toward municipal needs with the mayor's active participation. Mayors would play a key role in mobilizing different agencies and persons at different levels of government and society, including Military and Civil Police chiefs, prosecutors, judges and heads of social services. Local police chiefs lack mayors' capacity for mobilization.

Beyond police action, preventing violence demands diverse social and educational measures by state and municipal governments and by society. These measures will produce results if they are planned, focused and coordinated. However, mayors tend to spend too much on costly and unproductive Municipal Guards instead of investing more in preventive



Wilton Junior/AE

*Part of Rio's State Government Palace hit by Shootings, on 10/16/2002.*

measures like recreation facilities and education for young

preventive planning. Municipal governments can support police by providing installations, human resources and financial benefits to reward police for overtime and improved performance. Military and Civil Police chiefs should present their diagnoses, work plans, resource needs and operational results monthly. The mayor should be informed of the deployment of police personnel.

### Cities in São Paulo State with different population sizes

Average crime rates per 10,000 inhabitants

Population	Number of cities	Homicide	Robbery	Car theft and robbery
Over 100,000	62	3,3	50	48
40,000 - 100,000	76	1,8	23	18
20,000 - 40,000	97	1,2	14	10

Source: Fernand Braudel Institute (2003), with data from SSP/SP 2002.

people, lengthening the school day, training youths for job searches, offering support to poor families and helping youth on probation. Municipal Guards have been formed in some 400 municipalities, often acting within their own priorities, without reference to police crime data or planning, as if crime can be prevented by deploying uniformed employees to guard public buildings or patrol the streets. Municipal Guards are not trained for ordinary police work, but their deployment can be useful under a broad public security strategy.

Improvements in public security should come from a combination of general reforms and local innovations. The Fernand Braudel Institute of World Economics and the City Council developed a joint program in Diadema, a suburban municipality of 360,000 people in Greater São Paulo, which in 1999 had one of the world's highest homicide rates (140 per 100,000 population), beginning in June 2000. This effort reduced the number of homicides by half over the next 30 months. Its focus was a Municipal Public Security Forum that meets monthly in the City Council chambers, involving the chiefs of the Military and Civil Police, members of the City Council, and community, business and religious leaders. At these meetings the problems arising each month are analyzed in depth, with data and observations provided by police officials and community leaders. The Braudel Institute, with World Bank support, hired law students to analyze police documents on homicide investigations and mobilized its staff researchers for a major study of community tolerance of homicides. Diadema's mayor, José de Filippi Jr., expanded the city's Municipal Guard and appointed its first Secretary for Social Defense to coordinate violence reduction efforts. The Institute proposed closing Diadema's bars after 11 p.m., since many killings take place in bars after that hour. After months of debate, the City Council passed a new bar curfew law, which went into effect in August 2002, sharply accelerating the reduction of homicides.

Here are some other ideas on how integrated public safety may develop at the municipal level:

#### 1. Cooperation with state governments.

State and municipal governments should agree formally on cooperation and division of responsibilities. States should develop their own violence reduction programs that make police more effective and more involved with local problems. This would include sharing data and participating in local

#### 2. Municipal Public Security Councils.

Municipalities should create, by law, Municipal Public Security Councils to bring together representatives of the city administration, the City Council, the Military and Civil Police, judges, prosecutors, community leaders and civic organizations providing social services. Creation of an office of Secretary of Social Defense would provide a dedicated official to diagnose problems of violence and disorder in the municipality, develop action programs and supervise the use of public and private funds.

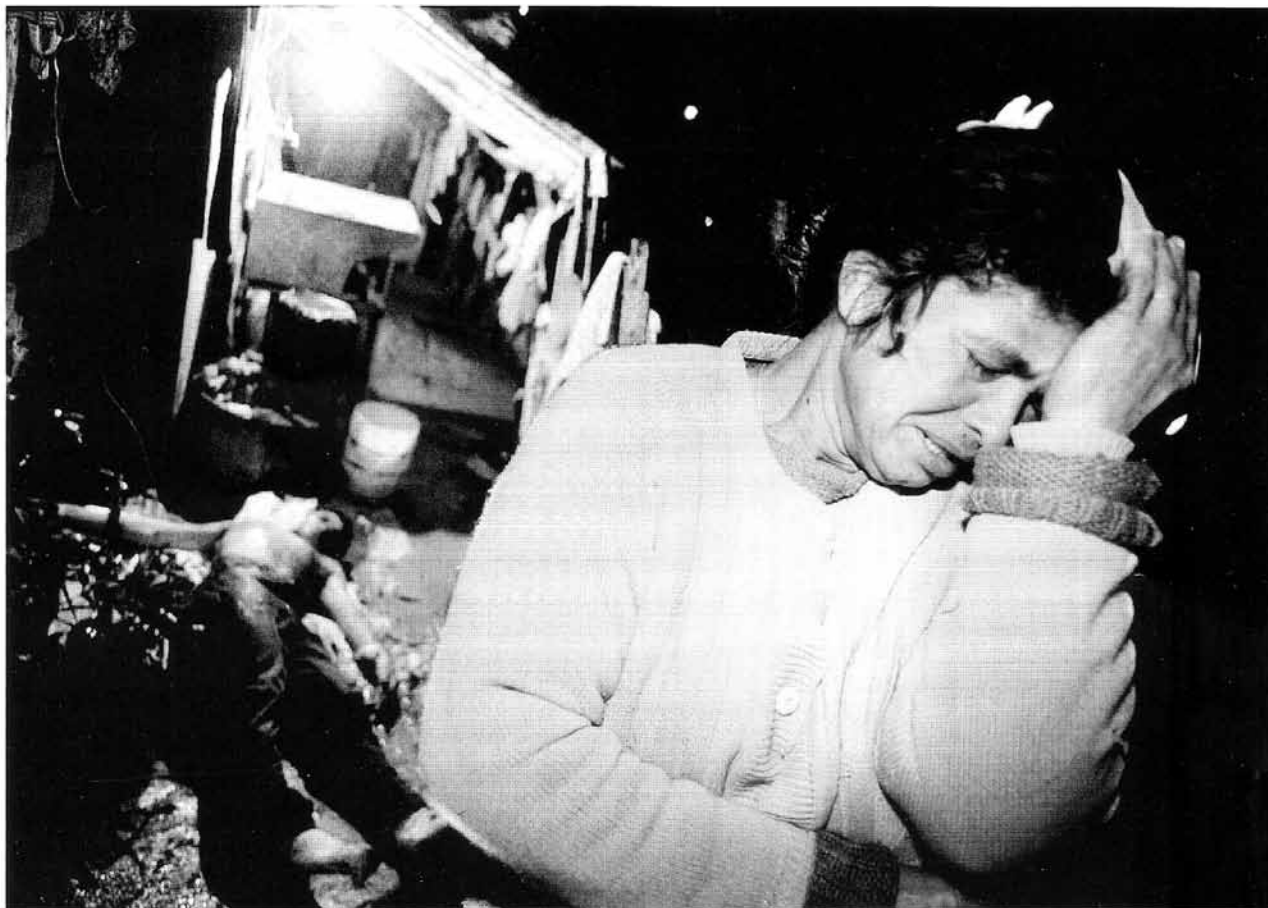
#### 3. Integrated Public Emergency Centers

Municipal and state governments should join in organizing Integrated Public Emergency Centers to house all emergency services: Military and Civil Police, firemen, Municipal Guard, civil defense, state and federal highway police and ambulances. All emergency calls would be handled in this center to coordinate responses according to specific needs. Service to citizens would be faster and more efficient because the appropriate forms of assistance, be it firemen or ambulances, would be dispatched as needed. Answering emergency telephone calls would be done by city civil servants or sub-contracted to telemarketing firms (as has been done in Fortaleza), freeing police for crime prevention. Resources to create these centers for large and mid-sized cities could be provided by the National Fund for Public Security and the federal Fund for Universalization of Telecommunications Services.

#### 4. Office for Security Planning

Within the Integrated Public Emergency Center, an Office for Security Planning and Criminal Analysis should be installed to make more effective use of information technology and planning. Incidents reported to the police should be integrated with data from the municipality and the judicial system. Offenses in schools, bars and places of public amusement should be incorporated into maps and tables to provide a clear picture of historical and geographical patterns of crime and disorder. These computerized maps would show places where recurrent crimes occur at given hours and days of the week. This data could be used by police to prevent and reduce crime, since criminals tend to strike repeatedly at the same hours and places and in the same manner. Knowing these details, the municipality could complement police efforts by improving street lighting in vulnerable areas, regulating and





Marlene Bérigamo

closing clandestine bars where crimes repeatedly occur. It could identify disorderly schools to lengthen classroom hours and adjust the routine of the Municipal Guard to control disorder. It could create youth recreation and social assistance programs in critical areas, help drug addicts and victims of domestic violence, rigorously supervise hotels that support prostitution and install video cameras in commercial corridors and high-crime areas. Training in crime analysis, conflict resolution and modern management methods could be programmed at the Office for Security Planning and Criminal Analysis, with private sector support.

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The ideas outlined here are akin to proposals for reform being developed in Mexico and Chile. The alternative to making the police and criminal justice system more effective, in a democratic framework, is deepening disorder of the kind now faced by Colombia, Venezuela and some countries of Central America and Africa. Brazil needs a solid and effective national public security policy to reduce levels of violence, especially in big cities, that are produced by common criminals, organized crime and a lack of an institutional environment capable of controlling trivial personal disputes that end in bloodshed. This violence breeds suffering, reduces the quality of life of the whole society and imposes heavy costs that restrict the country's development. This violence disproportionately affects the poor and young, who are both aggressors and victims.

An effective national public security system should

mobilize all levels of government (federal, state and municipal) and all branches of power (executive, legislative and judicial) for a coordinated program that responds to the challenge of violence. Public security is big business, a large-scale and complex undertaking Marlene Bérigamo that demands intensive investment as well as management competence in providing short-term and long-term solutions. Competent long-term management will be more decisive than improvised plans and superficial agreements with state governments.

Effective coordination poses a major challenge for the federal government because it must influence the behavior of local governments and authorities outside the orbit of its political and administrative control. Many of them pursue stupid institutional rivalries. A central aim of the federal government should be to persevere with renewed vitality in the movement for legal and structural changes needed for the improvement of standards of security demanded by Brazilian society. Brazil needs a new Ministry for Public Security, headed by a respected professional, for dedicated coordination and supervision of a National Public Security Plan. If this challenge is relegated once more to the state governments or to lower levels of the Justice Ministry, public security will fail.

It will be difficult to consolidate democracy in Brazil and achieve sustained economic development without institutional improvements in public security. Citizens at all levels of society demand this and politicians must respond. Improvements in public security will involve a range of national, state and local initiatives, all of them dependent on a consensus of urgent need. This consensus is developing. It now must drive the institutions of government.

# The Organized Crime in Espírito Santo State

**Rodney Miranda**

The state of Espírito Santo provides a case study of the danger to democratic institutions posed by organized crime. In the 1980s it grew out of the *jogo do bicho*, a popular numbers racket, controlled by José Carlos Gratz, who used it as a financial base to create a political power hierarchy.

By early 2003 organized crime controlled the state government, with Gratz as president of the Legislative Assembly. Gratz controlled the machinery for electing assemblymen and got his allies appointed as judges and prosecutors. The Accounts Tribunal approved stealing of state funds, which were used to pay for gang violence. The police were accomplices in turning Vitória, a small, prosperous coastal state capital located between Rio de Janeiro and Salvador, into the city with Brazil's highest homicide rate. Espírito Santo has one of Brazil's fastest economic growth rates, with large industries, a good infrastructure of ports and roads, and a promising tourism market.

In December 2002 the newly elected state governor, Paulo César Hartung Gomes, was looking for someone with experience in dealing with organized crime and who had no contacts with local politics. I was a career Federal Police officer. I met with the governor-elect for two hours and emerged from the meeting as the state's new Secretary of Public Security. I had never even visited the state.

As industries invested and the economy grew, tax collection increased, only to be embezzled by a few insiders. The economy's growth attracted unskilled migrants who lived in poverty in squatter settlements. Increasing crime reduced confidence in public institutions, making it hard for police to work even when we began to take decisive action against organized gangs.

The population had hopes that the new government would implement tough measures. Voters demanded change. We had to show society that public security was going to be dealt in a professional, non-political way. The criminal apparatus worked like this: those who bothered organized crime were transferred, punished or

even murdered. Yet we found a group of dedicated individuals, including police officers, judges and civic leaders, who were willing to join forces with us, in spite of all the risk involved.

We are against anyone using the state structure for irregular purposes, including police officers. We know that the police are made up of a silent majority of honest people. They have been the ones who support my efforts as State Secretary. Instead of criticizing the police institutions, I preferred to condemn corruption in general, as a problem that does not affect only the police. We are motivating the good officers, trying to improve their self-esteem and the credibility of our institutions. At the same time, we are creating a disciplinary council that includes members from the Brazilian Lawyers Association and public prosecutors, along with a strong ombudsman office inside the Public Security Secretariat. We are also optimizing our 24-hour hotline services.

We took other measures to improve our administration's transparency. I began to attend meetings with community councils, judges, public prosecutors and civic leaders. While listening to those who experience public security problems at the local level, I can also tell them about our limitations today, with only on 1700 civil police officers, 7000 military police and no hiring perspectives, given the serious financial problems that our government inherited. This dialogue is helping us to develop local public security plans, with ample community involvement.

Investment in information and intelligence should be the main pillar of an effective reform for two reasons. First, it enables us to better work against criminals at the highest hierarchical levels. Secondly, we can optimize human and material resources. After mapping crime in the region we were able to begin working with the most violent areas. Before that, we could not count on any indicators. We suspect that statistics were fabricated in order to show a crime reduction that never occurred. We know now that 80%

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**Rodney Miranda**, on leave from the Federal Police is Secretary of Public Security of the state of Espírito Santo.

**Professor Warren Dean**, of New York University (1932-94), founding member of our Institute, was decorated posthumously by the Brazilian government with the *Ordem do Cruzeiro do Sul* for his contribution to knowledge and understanding of the country's development. Among his books are *The Industrialization of São Paulo* (1969) e *With Boadax to Firebrand: The Drestruction of Brazil's Atlantic Forest* (1995).

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of all crime is concentrated in the eight municipalities of Vitória's metropolitan area. We managed to identify the causes, groups, and places linked to most crime occurrences, and over the last three months we were able to see a significant crime reduction, especially in homicides.

The fight against violent crimes begins with an integration of the civil and military polices, public prosecutors and the Judiciary, forming a specialized task force. It includes preventive and repressive strategies against the drug traffic, which sponsors killings as gangs compete for market shares and territory. We adopted the policy of other Brazilian cities, such as Diadema, closing bars at 11:00 pm in a community effort to curb alcohol abuse.

Yet we still face many problems. There have been so many arrests in Espírito Santo over the past six months that the prison system, already weak, has become overcrowded and chaotic. The police stations have

room for 500 inmates, but today hold 1,800. We face a dilemma. If we reduce repression against crime, we will lose people's trust. If we keep the current pace, the prison system may indeed collapse. We count on help from the Justice Secretary, the National Secretary of Public Security and the Ministry of Justice to deal with this impasse.

Our accomplishments so far give us hope that this war will be won. We suffered a terrible loss with the death of the judge Alexandre Martins de Castro Filho, murdered by organized crime. On that day the same perpetrators tried to kill me while I was jogging on the beach. But instead of intimidating us, these events show the importance of continuing our work, which is becoming more and more threatening to criminals. By using intelligence instead of brutality, we are moving forward. That's how the State will be able to dismantle criminal organizations, in order to build a more just society in Espírito Santo.